

BOARD OF DESIGN REVIEW MINUTES

SEPTEMBER 9, 1999

CALL TO ORDER: Chairman Williams called the meeting to order at 6:45 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman David Williams, Board Members Renee Cannon, Anissa Crane, Walter Lemon III, and Hal Beighley. Stewart Straus was excused.

Staff was represented by Senior Planner John Osterberg, Assistant Planner Tyler Ryerson, Associate Planner Richard Reynolds and Recording Secretary Cheryl Gonzales.

NEW BUSINESS

PUBLIC HEARINGS

Chairman William opened the public hearing and read the format for the meeting. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any of the agenda items.

A. BDR 99080/TPP99-0006 - FANNO CREEK TRAIL EXTENSION

Request for Design Review approval to extend the 10-foot wide asphalt Fanno Creek Trail through Fanno Creek Park from SW Fanno Street to SW Denney Road. The proposal includes creating a 10-space parking lot and kiosk at the trailhead on SW Denney Road east of SW Belaire Drive. A Tree Preservation Plan is also proposed for the removal and replacement of five trees from Significant Grove number 102 which encompasses the site. The site is approximately 13.48 acres in size. Map 1S1-22DB, Tax Lot 200; Map 1S1-22CD, Tax Lot 9200.

Associate Planner Richard Reynolds presented the staff report stating that the site is located at Fanno Creek Park which is south of SW Denney Road between Bel Aire Drive and Highway 217. The request is for the approval of a tree preservation plan for the removal and replacement of five trees from Significant Grove 102 which encompasses the site. This is submitted in conjunction with a design review request which is under a separate application to extend a trail and site a parking lot in the park. Based on the facts, findings and conclusions that are stated in the Staff Report, staff recommends approval.

Ms. Cannon asked about the location of the five trees scheduled to be removed. Mr. Reynolds noted there was a site plan, titled Figure 5 and explained the location of the various trees.

Ms. Dawn Hartman, Park Planner with the Tualatin Hills Park & Recreation District (THPRD) spoke on behalf of the Applicant. She noted that the Fanno Creek Trail Project is a part of the link that is the THPRD master plan. She agreed with staff's report regarding the removal of five trees and the building of a 10-space parking lot off Denney as a trailhead. Ms. Hartman presented a colored rendering of the proposal. In response to Chairman Williams' question Ms.

Hartman stated the parking lot was in the right-of-way. It was noted that Denney was a City road at this location.

Ms. Cannon questioned why the parking lot was being built in the right-of-way? Ms. Hartman stated that there was an existing gravel and asphalt lot currently there and it was felt that it would be convenient and least expensive where it currently is. Chairman Williams, in response to Ms. Cannon's statement, acknowledged that the parking lot might have to be removed in the extremely remote circumstance where Denney would be widened that much. There will be a kiosk moved. He noted the parking lot area was probably safe for several decades.

Mr. Reynolds expanded on the request for the BDR as proposed, to extend the pathway from SW Fanno Street up to SW Denney Road, with a 10 foot wide asphalt path and will terminate at a 10-space parking area and kiosk and will have a continued sidewalk that will connect to the existing sidewalk on SW Denney Road creating a pedestrian connection and will wrap around the parking lot.

Chairman Williams asked if the trail continued on the other side of Denney and was informed it did not by Mr. Reynolds. He also noted the THPRD may have future connection plans.

Ms. Cannon questioned in relationship to the BDR, where was the erosion control? Mr. Reynolds noted in the Facilities Review Conditions of Approval part of the exhibit, the site development permit will require erosion control measures be in place as part of the site development permit process. Ms. Cannon asked if these were standard erosion control measures? Mr. Reynolds stated that they would have to provide a site plan that would document their erosion control as part of their site permit application. Ms. Cannon stated her reasoning for these questions dealt with an issue at a previous BDR meeting where a great deal of concern was expressed about Beaverton Creek. It was a specific issue with a number of people. There were extraordinary measures asked for and stated that she felt those same kind of extraordinary measures should be applied if going to be along a creek where the dust could be going in. She recalled that the board from THPRD also expressed that same concern by one of their board members. Ms. Cannon stated that she wanted to make sure that the THPRD, when doing the same type of work, that they are ready, willing and required to use those same measures on their work. Mr. Reynolds noted that on Page 8 of the Facilities Review approval, in the exhibit section, condition B., 13 states that the site development plan shall include erosion control measures that are designed to meet the requirements of Oregon Administrative Rules. Ms. Cannon noted that she understood that but stated she believed that the other things mentioned had more requirements in it and wanted to make sure that the THPRD is willing to assume those same kind of requirements as they had recommended for the other project.

Chairman Williams noted that the rules listed for all intents and purposes are a silt fence and the other project was certainly much closer to the creek than this one is. The measures which were taken on the other property were a berm, a settling pond as well as a silt fence and he noted these would probably not be possible here. One he noted was the Corps of Engineers, USA, or any one is going to want a berm placed inside this creek edge that would involve making more disturbance and taking out plants. This path runs right by a wetlands which in fact will act as a settling pond, so he noted that in this circumstance, the silt fence which would be a typical kind of erosion control measure would be adequate for this project.

Ms. Cannon noted that she would like to see the silt fence, the hay and making certain the same level of verification of those things that were recommended on that previous project is done on this project. She felt that this was a sensitive area and it would be very helpful to follow these same concerns. Chairman Williams noted that including the hay bales would be a good inclusion and it was important to understand the requirements of the Facilities Review conditions

Ms. Crane asked how the width of the path was determined? Ms. Hartman stated that the only vehicular traffic will be maintenance vehicles on occasion and there is a system to block out other traffic. Ms. Crane asked how wide the path was over by Cornell. Ms. Hartman noted that trail was eight feet wide, the difference in the width is based on the designation of the trail. She noted this is a regional trail and the standard is eight to ten, whereas the other trail is a community trail and thus is not as wide. Ms. Crane asked if it were narrower in spots, would it be possible to maintain some of the trees that would be lost? Ms. Hartman noted that the hawthorn and apple trees would still be impacted.

Ms. Cannon also expressed concern regarding the fencing around the trees that are suppose to be protected. She asked if there would be any problem with putting up chain link fence rather than just the orange? Ms. Hartman noted that it would be more expensive. The equipment utilized for the building of trail will not be large equipment, smaller backhoes, etc., and they will be sticking to the alignment, Ms. Hartman noted. She noted her objection to the use of chain link fence would be the significant cost increase for the THPRD. She noted that it was a long alignment and wanted to protect all the trees.

Mr. Lemon noted that the requirement is a temporary chain link fence that you get from a rental agency. He noted that from the Board's standpoint, the four feet high snow fence has a tendency to be susceptible to equipment running over it and over the course of the project the fence can get scattered throughout the woods. He noted that the chain link fencing was not that much more expensive.

Chairman Williams noted that there were primarily bushes and there were shorter sections that would require the fencing.

CAROL HANON, 7370 Fanno Street, noted that the new trail would come right along the back side of her house. Currently on Fanno Street where the trail starts, the site is being used as a parking lot and she stated her belief that with the trail that will be added will cause even more parking problems. She understood that they would be planting some trees for privacy issues, however, she did not believe it was enough and requested that a fence be built for safety and security. She noted that they have written a letter which is included in the packet. She noted the house has a small fence along Fanno Street and there is no fencing behind because it was not needed before and would expect six foot high along the length of the property. She also expressed concern about pets that would be in their yard. She noted they had not had a response to their letter to the THPRD.

Chairman Williams asked the staff if Fanno Street was an extension and is it a street that deadends at the back of their property, or at the front. Also has the City looked at this and is there an issue of parking or was it meant to be a hiking trail start with no cars there at all? Mr. Reynolds responded that it was a paved area which is on the City map as a street and stubs about the boundary of the park.

In response to Chairman William's question, Ms. Hanon noted there is a barricade in place at the beginning of the trail. She noted that their neighbors currently use a gate by this barricade to drive onto their property.

Chairman Williams stated he believed that this was a separate issue that has to go to the City and Traffic Department in terms of the official designation of that street and where the City wishes to put their barricade and if they wish to allow access, etc.

Another side issue, Chairman Williams stated that now with there being a parking lot on the other end, the hope was that the parkers will go where it is easier to go.

In response to Ms. Hanon's request for a fence, he noted that his map shows there is a fence behind the stone sales yard close to Denney all the way back to Fanno Street. Where does this fence stop? Ms. Hanon noted there were shrubs, but no fence. Ms. Hanon responded that there was a short fence along Fanno Street. Their closest neighbor does have a fence but she did not know about any others.

Mr. Lemon noted that in the Facilities Review conditions of approval there are several standards which discuss anticipated vehicular and pedestrian traffic generation and the standards and policies of the comprehensive plan. It also addresses the safe and efficient circulation pattern within the boundaries of the site. Obviously Fanno Street is outside the boundaries of the site which means that it becomes a little stretched to bring it into the problem. However, nowhere in the Facilities Review is Fanno Street identified as a problem. As a board there are only certain things that the BDR can attach conditions to or make motions regarding to help your situation. Facilities Review is not one of the those things that we can touch, it is outside of our charge. However, Mr. Lemon noted that Facilities Review "possibly" should have taken into consideration the impact on Fanno Street at the time of their review. He supported the Chairman's suggestion that this is something Ms. Hartman should take back to the City or the Department of Streets, Highway, Engineering as this wasn't addressed.

Mr. Reynolds stated that he did think about parking issues as far as the proposal and the applicant is proposing a parking area which hopefully people will use the designated parking. He noted that they could notify the traffic department of the City that there might be a conflict. He stated that his thought was that by having an actual parking lot you might have a defined place for people to park.

Chairman Williams asked Ms. Hartman, representing the applicant, if she knew how far that fence extended? She stated that she thought there was a chain link fence, but it might possibly be covered by shrubs, but she stated that she would tend to believe Ms. Hanon's word as she lives there.

Chairman Williams noted that drawings and black and white photographs do not show what the real vegetation looks like along this section. Mr. Hartman, in response to Chairman Williams' question, stated she did walk into the site, but noted that it is extremely overgrown with berries and shrubs. They are proposing to add screening. How much will be taken out, Chairman William asked. Ms. Hartman said they are going to clear as little as possible. Will probably go between 15 and 20 feet for their clearing and then will replant back along the trail edge as part of the mitigation.

Ms. Hartman stated that the landscaping plans include oaks, Oregon Ash, ocean spray. Chairman Williams noted that directly behind the house looks like black hawthorn, 15 feet on center and ocean spray, which is a native tree, shrub type plant which grows 10 to 12 feet tall. They will start with five gallon shrubs which are about three feet tall and there will be gaps immediately upon planting. Chairman Williams stated that based on the scale of the map it appears they would have 15 feet worth of existing vegetation and new vegetation going in between the edge of the path and the property lines which with the building of the new path there will be 10 feet of existing shrub then plus the additional trees and shrubs will be added to it.

Ms. Cannon asked if there was a material board for the kiosk? Mr. Reynolds reported no, as it is less than the required number of square feet that require any kind of building permit. She noted that it was in the conditions.

Ms. Hartman noted that there will be dogs allowed on leash in this park. She noted this was their policy on all parks except for the Nature Park.

The public portion of the meeting was closed.

Ms. Cannon asked for an opinion that with what was planned to be removed and then replaced, along with the remaining existing shrubbery, etc., will that be equivalent to the current privacy for the property owner expressing concern for security issues. Chairman Williams responded that he thought it would be and that it should improve it with the height and visuals that they will get. He stated that a fence would not do that much good, it would keep a dog from wandering through, but not much else would. It was noted that most of the foliage, berries, would return quickly.

Ms. Cannon MOVED and Mr. Lemon SECONDED a motion to approve TPP99-00006 based on the testimony, reports, and exhibits received during the public hearing on the matter and upon the background facts, findings, conclusions and conditions found in the Planning Department's Staff Report dated September 9, 1999 with conditions 1 through 2 with the following condition:

3. Six foot chain link fence will be required for tree protection during construction.

Mr. Beighley made a point of clarification that on Condition #3, it should read temporary six-foot chain link fence and that is required around the existing trees to remain within ten feet of either side of that site. Ms. Cannon stated that was not the intention. The intention was just the trees that will have an impact from the construction.

The question was called and the motion CARRIED unanimously.

Ms. Cannon MOVED and Mr. Beighley SECONDED a motion to approve BDR 99080 based on the testimony, reports, and exhibits received during the public hearing on the matter and upon the background facts, findings conclusions and conditions found in the Planning Department's Staff report dated September 9, 1999 with the condition 1 through 19 and the additional condition:

20. Requiring, but not limited to a silt fence and hay bales as erosion protection.

The question was called and the motion CARRIED unanimously.

B. APP99-00013 - BAYRIDGE APARTMENTS TRASH COMPACTOR APPEAL

Appeal of the Planning Director's decision to approve BDR98177, a request to replace 6 individual dumpsters located throughout the Bayridge Apartment Complex with one trash compactor that is enclosed with an eight-foot high fence. In addition, the three lost parking spaces are proposed to be replaced on site, and the current dumpster locations will be re-landscaped. The site is within the R-2 zone and is located at 17520 NW Cornell Road. Map 1N1-31BA, Tax Lot 101.

Mr. Tyler Ryerson, assistant planner with the City of Beaverton presented the Staff Report. He stated the location of the Bayridge Apartment is 17520 NW Cornell Road and it is an appeal of a previously approved trash compactor BDR 98177. He noted the original request was to replace six individual dumpsters located throughout the apartment complex with one trash compactor enclosed with an eight foot high fence. He stated staff's recommendation was denial of the appeal with keeping the previously approved BDR based upon the facts, findings and conclusions as presented in the Staff Report. He noted there was a video which the Board requested to view. Mr. Ryerson stated this was a Type 1 application which was appealed.

Ms. Crane noted that in Exhibit #4 from the Great West Management and Realty, they stated they proposed a 3/4 inch plywood wall and the staff report states 1/2 inch plywood. Mr. Ryerson noted that the next phrase stated "and cedar siding". He reported he did speak with Great West and it is Hardie Plank, as what was approved and as far as 3/4 inch plywood in the original approval it was 1/2 inch. He was not sure if they were changing it to 3/4 and suggested the applicant be asked.

Mr. Lemon asked what was the finish on the material. Mr. Ryerson said it would be painted similar to the apartments and the garage and appears to be compatible. The gate is made of the same material. Mr. Lemon asked if the fence or gates surrounding the compactor are higher than the compactor? Mr. Ryerson left that to the applicant and possibly their compactor contractor.

IOE ANDERSON, 1525 SW Park Avenue, Suite 101, Portland, OR 97201.

GORDON BOORSE, 4110 NE 122nd #110, Portland, OR 97230; were present on behalf of Bayridge Apartments. Mr. Boorse stated that the compactor is eight feet tall at the highest point. Chairman Williams noted that the fence would match plus or minus an inch the height of the compactor. He noted that from a line of sight from the ground there would be even less opportunity to see it.

Chairman Williams asked about the noise level comes from the compactor when it is operating. Mr. Boorse stated there were a number of ways to state that. The first way was minimal and he noted that possibly in the packet there was a study done on another location of a like unit and the decibel readings were found to be within or below the tolerances required. He stated that it makes less noise than a lawn mower as well as the current operations by the hauler's truck.

Ms. Crane asked about the enclosure and the material used in the other location noted. Mr. Boorse stated it had a wall around it and it was not as high as the compactor in certain parts and was a louvered wall to allow air to flow through and he thought it was made of cedar.

Mr. Anderson offered to show a video of the compactor made by Mr. Boorse which showed the trash hauler truck at Bayridge Apartments and then the operation of a trash compactor at another apartment complex with narration by the property manager that uses the compactor. Mr. Boorse stated there was not a set time period for picking up the trash, but are estimating it would be picked up about three times a month and they are on the property five to ten minutes.

DAVID WELLS, 22102 Horizon Drive, West Linn, maintenance superintendent for Bayridge has worked with the contractor on the building of the fence and responded to Ms. Crane's question, that it was probably a misprint or misunderstanding on the 3/4 inch. He stated he did not think the 3/4 inch would be necessary, 1/2 inch combined with the Hardie Plank would be more than adequate and will also withstand the 100 mph winds. These are the same standards for the enclosures at the other properties.

Mr. Lemon referred to the Skyward Construction letter which states that the gate is chain link with slats. Mr. Anderson said in the original application it was but in the second or third application it was modified. Mr. Wells noted that it would look more aesthetic to have it all match the building.

Mr. Lemon said he currently was aware of three additional conditions including the color of the structure, the siding material and the plywood underlayment. He stated he preferred the 3/4 inch as it gives it a little bit more strength behind the Hardie Plank. He was assured by the presenters that that would not be a problem. He also questioned the height of eight feet, and stated there may be a condition to ensure that no piece of the equipment shows above the top of the fence as you walk around it. Another concern is how does this compactor contain fluids, etc. Mr. Boorse stated that the compactor is completely contained. The rear door has a seal that holds liquid. It is the same application used in grocery stores and there is no need for drainage.

LANE DUBOSE, 17695 NW Rolling Hill Lane, Beaverton, chairman of the Tanasbrook Home/Owners Association, spoke on behalf of the Appellate. Mr. DuBose reviewed the exhibits expressing their concerns. Two main items they addressed were condominium owners being able to see the compactor from the second story of their homes and secondly is the location. He suggested that it be located in the center of their complex and it would not impact the association homeowners. Mr. DuBose noted that they have 340 units but there are probably 50 to 75 close to the fence.

In response to Chairman Williams question as to what the condominium owners currently look at now, Mr. DuBose noted the view is of the open trash container. He noted the best solution would be to move the trash compactor to the center of the apartment complex. Chairman Williams noted that the proposed compactor would be moved 60 feet further away than the trash enclosure currently in existence and would that not be an improvement and the noise from the hauling trucks would also be approximately 70 feet away from the current location.

JIM KIMBALL, 17645 NW Rolling Hill Lane, Beaverton, OR 97006 had a copy of his comments for staff. He commended apartment owners for trying to make improvements but wished it to be beneficial to all parties. As to the height, the homeowners will be higher than the

enclosure and suggested that a cover for the closure might be considered. They are asking that the location be more removed from the proposed location. He asked that conditions be included to address these three issues and that they be included in the BDR's action; noise from operating and emptying the trash compactor, odor from the concentration of garbage removed less frequently, and management of trash that escapes or is not deposited properly. One condition is that the compactor only be in operation from 8 am and 6 pm. He wished that order to be addressed and he suggested this be included by the Board in their conditions. Another step that would reduce their concerns is that emptying the compactor be restricted to the same hours as its operation (8 am to 6 pm) and if access to the compactor is restricted for any reason that the apartment management would provide an alternative that would prevent loose trash, odor or attraction of rodents.

Mr. Lemon stated that there are standard conditions that state that all mechanical equipment shall be screened from public view. He noted that the view of adjacent property owners will be somewhat improved and that the building inspectors will have the conditions as specified by the Board which will be enforced. There is a condition regarding "camouflaging" this piece of equipment so it is not visible to the public.

SANDY GIEPEL, 1882 NW Shorewood Court, 97006 stated she was the condominium homeowner that is most affected by the trash compactor. She said she can see the site from her first floor of her condominium. She was not opposed to the compactor proposal, but is concerned about the fact that children currently have trouble getting garbage into dumpsters and it appears the compactor will be even taller which will result in garbage being left on the ground around the compactor. There is a large population of raccoons which will be attracted. She noted that current management have been lax as far as picking up garbage as she is often picking up garbage in her yard. She did not believe the compactor would increase the management's efforts to keep the garbage picked up. She requested that the compactor be placed in the middle of the apartments or put it down between the northeast and the southeast corner of their property line which would have a larger buffer around the compactor as there is already a dumpster there. At Chairman Williams request, Ms. Giepel pointed out the location of her home.

Ms. Cannon asked about the comment on possums and raccoons and if they get into the dumpsters now? Ms. Giepel said she believed that they did.

PEGGY ADAMS, 17632 NW Shorewood, 97006, stated that she and other Tanasbrook residents are not opposed to Bayridge installing a trash compactor, they support and applaud their efforts. The objection is related to the location. The visual impact is similar to the current enclosures surrounding the dumpsters. She noted that these are an eyesore, the paint is chipped and peeling and are dented. She noted these areas are not well maintained and large items are left outside the dumpster and she did feel that the compactor would facilitate or improve this problem. She agreed that the maintenance was lax and asked what change the Bayridge management would make to guarantee that a new fence enclosure would be maintained in any better condition than the current ones. There are other more central locations available to install a compactor. She suggested on the west side of a laundry and mail box area, building #17711 is located near the central area of the apartments. A second option would be the east side of the Bayridge swimming pool. She noted that in a letter included in the Planning Committee packet there is a letter that addresses odor control that would be implemented if necessary which says that they do not plan to have odor control as a routine process and it is not free.

Once the permit is approved and the structure is built, she questioned what was the incentive of the Bayridge management to pay an additional fee for odor control that would bother Tanasbrook residents especially since they have shown they don't take care of the current problems. She stated that the other apartment complexes that supported these compactors she noted were different in that their locations were out of the way and the management cared about their properties. Lastly she noted that a large trash compactor area within eye sight of Tanasbrook property and residents with debris littering the area and trash piled against it, with odors and lacking any apparent maintenance, it would no doubt lower property values of Tanasbrook properties. Historically Bayridge management has not cared about their neighbors and she did not believe that the installation would change their attitude and asked that the trash compactor location be moved to a more central location in their complex.

Mr. Lemon stated that the applicant is the staff as they are trying to support their prior decision and deny this appeal. He asked questions of the management team for the Bayridge Apartments. He noted that the facilities manager stated there is a security key into the compactor and there is an interlock system. Mr. Boorse noted that it was key locked and maintained by the maintenance person. Mr. Lemon noted that on the plan there is a gap in the wall system where the tenant walks in and places the trash in the compactor and walks out. Is there a system available that allows for the entrance of trash through a chute system that would do away with this gate that could be a possible threat and hazard for kids, etc. Mr. Boorse stated that in a grocery store there is an application similar to a chute which is a different style of a compactor. Mr. Boorse stated that the suggestion creates a problem for the hauler to remove the container. He agreed the issue of children is a legitimate concern but he said they have never had a problem, but management typically does a couple of things including a limitation on the age of who can utilize the system. Another safety issue is that the operator opens the door and visually checks the system before operating the system.

Mr. Lemon stated he was still concerned about the open gate which would allow children into the compactor area. Mr. Boorse said he does not build the enclosures but works with the contractor to provide input so tenants will feel safe in using it. They suggest the use of a baffle system that allows easy access with both hands full versus a keyed or latch system which can allow for the spilling of trash.

In response to Ms. Cannon's request why the location was chosen, Mr. Boorse stated there are a number of issues in making the decision including, space, direct truck access on a flat service including 50 feet flat line, also local ordinances including set backs. This site was chosen more by process of elimination. Mr. Anderson said they looked at locations centrally located but found that would take up so many parking places that that was not a viable option.

The problem involved with covering the enclosure, Mr. Boorse stated that the garbage hauler removes the unit up through the top and a cover would not allow access. Also the time for pickups are typically on an on-call basis and they like to do it early in the morning. He did note that the hauler could be instructed regarding this, if possible within their time frame.

Mr. Osterberg mentioned a side issue relating to the hauler. He noted the Beaverton Solid Waste Management Plan requires the hauler to sign off on whatever garbage, refuse, disposal methods that are proposed by an individual property owner. Whatever modifications you might consider, the hauler must still agree that it meets the hauler's standard. This plan gives the hauler the authority in which to make a determination in which design is acceptable to the hauler and

this design has gone to them. He stated that as you consider changes, additions or deletions, the hauler has not seen those.

The public portion of the hearing was closed.

Mr. Lemon directed to staff that in this case there are conditions of approval, the conditions are of your request to deny the appeal, but the conditions that are attached to the staff report that have nothing to do with this project. However, he questioned if some of the requirements for landscaping, etc., may not be necessary for this 10 x 10 structure. He noted that Beaverton is strict. He also suggested to the Board a condition to address the open access to put in a self-closing, self-latching chain link gate.

Mr. Ryerson stated regarding the landscaping conditions, the locations of the current dumpsters, three of them will be turned into parking spaces that will be relocated from the proposed site and the other three dumpsters would be relandscaped to similar materials in that particular area. So the landscaping conditions are applicable Mr. Ryerson stated. He agreed with Mr. Lemon that some of the conditions may not apply due to the particular landscaping and areas. The lighting condition was added Mr. Ryerson stated in case the applicant did add a light.

Chairman Williams asked Mr. Lemon in regard to the gate, who would it keep out? Mr. Lemon said it would keep out the dogs and the animals and the 4, 5 year olds that might be out playing.

Ms. Cannon stated that a even a chain link fence would not keep children out. Mr. Lemon said he is not as worried about them climbing into as much as climbing on it. It was noted that most of it was enclosed and weather tight.

Mr. Lemon MOVED and Ms. Cannon SECONDED a motion to deny the appeal APP 99-0013 based upon the testimony, reports, exhibits received during the public hearing on the matter and upon the background facts found in the Planning Department Staff Report dated 9/9/99 with conditions 1 through 15 with the following additional conditions:

16. The finished color of the exterior of the screening fence and gate shall be the same as that of the adjacent garage.
17. The siding material shall be Hardie Plank in lieu of cedar.
18. The plywood underlayment shall be 1/2 inch thick material.

The question was called and the motion CARRIED unanimously.

MISCELLANEOUS BUSINESS

Mr. Lemon asked if there was anything brought up with regards to his request as a visitors item on the mechanical equipment roof top screening at the South Ridge High School. Ms. Cannon noted that she had commented to Mr. Jack Lord, the attorney for the school district about the condition. She noted it was not official and suggested that someone enforce the matter. Mr. Lemon stated that he knew there are some experiments taking place to deal with it. Ms.

Cannon asked if they have any ability to do anything; can the board get the staff to address the issue of the screen.

Mr. Osterberg reported that both the school district and the City were surprised at how little true screening that provided. There was an understanding that it was not going to be completely opaque but felt it was going to screen that equipment better. The school district is working on that and the most promising alternative seems to be use of some outdoor material that would be stretched on the backside of the screening, possibly one or two layers of that behind that would dramatically increase the screening. They currently have a sample up there now but another alternative was to have one or two layers of the mesh. But it appears that they may go with addition of the fabric on the back side, one or two layers of that. It was suggested that a side be sampled before great quantities ordered.

Ms. Cannon also noted that the screen does not blend with the school and it looks terrible. Mr. Osterberg noted that the color which is silver gives the impression of it looking like fence. Ms. Cannon noted her concern about the impact of a wind storm on the fabric. Mr. Osterberg noted that wind is a problem with any type of roof screening material.

ADJOURNMENT at 9:00 p.m.